Attorney Docket No.: T00033/50267

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

| Tootsie Roll Industries, Inc.,   | )                                   |
|--|-------------------------------------|
| Registrant,  | ) Cancellation No. 92040463         |
| v.   | )<br>)                              |
| Kenneth Wiesen,  | )                                   |
| Applicant.   | )                                   |
| ***********  | ·************                       |
| I hereby certify that this correspondence is being de<br>as first class mail in an envelope addressed to:<br>Trademarks, 2900 Crystal Drive, Arlington, VA 222 | BOX TTAB - NO FEE, Commissioner for |
|  | Daniel                              |
|  | David Wolf                          |
|  | Registration No. 17,528             |
|  | Attorney for Applicant              |
| *************  | *********                           |

## REQUEST FOR EXTENSION OF TIME TO ANSWER PETITION FOR CANCELLATION

BOX TTAB – No Fee Commissioner for Trademarks 2900 Crystal Drive Arlington, VA 22202-3513

Sir:

TOOTSIE ROLL INDUSTRIES, INC., a Virginia corporation, having its principal place of business at 7401 South Cicero Avenue, Chicago, Illinois 60629, the Registrant in the above-identified cancellation proceeding hereby moves that the time for Registrant, Tootsie Roll Industries, Inc.., to answer or otherwise respond to the Petition to Cancel be extended to and including June 19, 2002. And that all other dates be reset accordingly as follows:

Discovery period to open:

May 29, 2002

Discovery period to close:

November 26, 2002

30-day testimony period for party in position of plaintiff to close: 30-day testimony period for party in position of defendant to close:

February 24, 2003

April 25, 2003

15-day rebuttal testimony period for plaintiff to close:

June 9, 2003

The Petitioner, Kenneth Wiesen, has assented by telephone to the foregoing motion. The motion has been made to permit the parties time to review possible resolution of the matter.

The request is being submitted in triplicate as required by 37 C.F.R. §2.102(d).

Respectfully Submitted,

TOOTSIE ROLL INDUSTRIES, INC.

By:

David Wolf

Registration No. 17,528

Wolf Greenfield & Sacks, P.C.

600 Atlantic Avenue

Boston, MA 02210

Telephone: 617-720-3500

Fax: 617-720-2441

#### **CERTIFICATE OF SERVICE**

I certify that a true copy of the foregoing was served this day upon Applicant, Kenneth B. Wiesen, 27 Ormond Park Road, Brookville, New York 11545, by first class mail this 12 day of May, 2002.

David Wolf

HAB

# ATTORNEY'S DOCKET NO POTO0033/50267 (DW)

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| Tootsie Roll Industries, Inc.,                 | )  |
| Registrant,                                    | ) Cancellation No. 92040463              |
| v.   | )  |
| Kenneth Wiesen,                                | )  |
| Applicant.                                     |  |
| DOV TTAD NO EEE                                | 05-15-2002                               |
| BOX TTAB NO FEE<br>COMMISSIONER FOR TRADEMARKS | U.S. Patent & TMOfc/TM Mail Ropt Dt. #34 |
| 2900 CRYSTAL DRIVE                             |  |
| ARLINGTON, VA 22202-3513                       |  |

Sir:

Transmitted herewith is/are the following document(s):

• Request for 30 Day Extension to File Answer to Petition for Cancellation

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts.

A check in the amount of 0.00 is enclosed to cover the filing fee. If the fee is insufficient, the balance may be charged to the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

David Wolf

Wolf, Greenfield & Sacks, P.C.

600 Atlantic Avenue Boston, MA 02210-2211

(617) 720-3500

May 19, 2002

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